

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRIAN WRIGHT and DANIELLE  
PERREIRA,

Defendants.

Case No. 2:14-cr-357-APG-VCF

**ORDER ACCEPTING REPORT &  
RECOMMENDATION DENYING  
DEFENDANT WRIGHT'S MOTION TO  
DISMISS**

(Dkt. ##154, 177)

Defendant Brian Wright filed a motion to dismiss counts one, two, three, and four of the Superseding Indictment. (Dkt. #154.) Magistrate Judge Ferenbach issued a Report & Recommendation recommending denial of the motion (Dkt. #177.) No objection has been filed to that Report & Recommendation. Thus, I am not required to conduct "any review at all ... of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985).<sup>1</sup> Because there is no objection, I may accept the recommendation without review. Therefore,

IT IS ORDERED that Magistrate Judge Ferenbach's Report & Recommendation (Dkt. #177) is **ACCEPTED** and Wright's motion to dismiss (Dkt. #154) is **DENIED**.

Dated: February 3, 2016.

  
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ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE

<sup>1</sup> The Ninth Circuit has confirmed that a district court is not required to review a magistrate judge's report and recommendation where no objection has been filed. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) ("[T]he district judge must review the magistrate judge's findings and recommendations de novo if objection is made, but not otherwise."); *see also Schmidt v. Johnstone*, 263 F.Supp.2d 1219, 1226 (D.Ariz. 2003) (Based on *Thomas* and *Reyna-Tapia*, "district courts are not required to conduct any review at all . . . of any issue that is not the subject of an objection.").